

House Study Bill 521 - Introduced

HOUSE FILE _____

BY (PROPOSED COMMITTEE
ON JUDICIARY BILL BY
CHAIRPERSON BALTIMORE)

A BILL FOR

1 An Act relating to the disposition of abandoned firearms and
2 ammunition seized by a law enforcement agency.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 809.5, subsection 1, paragraph f,
2 subparagraph (3), Code 2014, is amended to read as follows:

3 (3) Notwithstanding ~~subparagraph~~ subparagraphs (1) and
4 ~~(2), firearms or ammunition with an aggregate fair market~~
5 ~~value equal to or less than five hundred dollars~~ shall be
6 deposited with the department of public safety. The firearms
7 or ammunition may be held by the department of public safety
8 and be used for law enforcement, testing, or comparisons by the
9 criminalistics laboratory, or may be destroyed or disposed of
10 by the department of public safety in accordance with section
11 809.21.

12 EXPLANATION

13 The inclusion of this explanation does not constitute agreement with
14 the explanation's substance by the members of the general assembly.

15 This bill relates to the disposition of abandoned firearms
16 and ammunition seized by a law enforcement agency.

17 The bill requires all firearms or ammunition seized by
18 a law enforcement agency that are deemed abandoned to be
19 deposited with the department of public safety. The firearms
20 or ammunition may be held by the department and used for
21 law enforcement, testing, comparisons by the criminalistics
22 laboratory, destroyed, or disposed of in accordance with Code
23 section 809.21.

24 Current law requires all abandoned firearms or ammunition
25 seized by a law enforcement agency with an aggregate fair
26 market value equal to or less than \$500 to be deposited with
27 the department of public safety and used by the department for
28 the same aforementioned uses. If the aggregate fair market
29 value of the abandoned firearms or ammunition seized by a law
30 enforcement agency is greater than \$500, current law under Code
31 section 809.5(1)(f)(1) requires the law enforcement agency to
32 initiate forfeiture proceedings under Code chapter 809A.